### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

**Group Art Unit: 3739** 

Huy D. Phan

Confirmation No.: 7042

Serial No.: 10/660,822

Examiner: Gibson, Roy Dean

Filed: September 12, 2003

For: VACUUM-BASED CATHETER

STABILIZER

#### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR § 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. Copies of US Patents and US Patent Publications are not enclosed, pursuant to the US Patent & Trademark Office waiver of this requirement under 37 CFR § 1.98 (a)(2)(i) for patent applications filed after June 30, 2003.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

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# CERTIFICATE OF MAILING

(37 C.F.R. §1.8)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposit with the Unites States Postal Services on the date shown below with sufficient postage as "First Class Mail" to addressee in an envelope addressed to the Commissioner for Patents, Alexandria, VA 22313-1450.

Date of deposit OC/213313.1

## Information Disclosure Statement Filing Provision:

filed ur 1.491;	three monder § 1. or (3) be	OS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) on this of the filing date of the application, which is not a continued prosecution application 0.53(d) or (2) within three months of entry of the national stage as set forth in 37 CFR § defore the mailing of a first Office action on the merits; or (4) before the mailing of a first of filing a request for continued examination under § 1.114. Thus, no fee is required.				
		However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR §1.17(p) to the deposit account referenced below.				
		However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.				
on the 1	This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR 1.					
3 -10	$\boxtimes$	The fee due under 37 CFR § 1.17(p) is submitted herewith.				
		A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.				
-	or a No	OS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR otice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A r 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted				
		STATEMENT UNDER 37 CFR § 1.97(e):				
	Each it	em contained in this IDS was first cited in any communication from a foreign patent office				
in a cou	ınterpar	t foreign application not more than three months prior to the filing of this IDS.				
	No iten	n contained in this IDS was cited in a communication from a foreign patent office in a				
counter	part for	eign application, and, to the knowledge of the person signing this statement after making				
reasona	ıble inqı	airy, no item of information contained in this IDS was known to any individual designated				
in 37 C	FR 8 1.	in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.				

	PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES.			
	A check in the amount of is enclosed for the above fee(s).			
$\boxtimes$	Please charge \$180.00 to Deposit Account No. 50-2518 for the above fee(s).			
$\boxtimes$	The Commissioner is authorized to charge any fees required by the filing of these papers, and to			
	credit any overpayment to Bingham McCutchen's Deposit Account No. 50-2518.			
	Respectfully submitted, BINGHAM McCUTCHEN LLP			
	BII GII MA MOCO I CHEN EE			
Dated:	9/9/05 By:			
	Michael I Bolán			

Reg. No. 42,339

BINGHAM McCUTCHEN LLP Three Embarcadero, Suite 1800 San Francisco, CA 94111-4067 (714) 830-0600

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Approved for use through 10/31/2002. OMB 0651-0031

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

ADEMATT	Complete if Known		
Application Number	10/660,822		
Filing Date	September 12, 2003		
First Named Inventor	Huy Phan		
Group Art Unit	3739		
Examiner Name	Gibson, Roy Dean		
Attorney Docket Number	29-7030922001 (03-035)		

	U.S. PATENT DOCUMENTS					
Examiner Initials *	Cite No.1	U.S. Patent Document	Name of Patentee or Applicant	Date of Publication of	Pages, Columns, Lines, Where Releva	
		Number Kind Code <sup>2</sup> (if known)	of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	
	1.	US-4,308,873	Maynard	01-05-1982		
	2.	US-4,832,048	Cohen	05-23-1989		
	3.	US-4,920,980	Jackowski	05-01-1990		
	4.	US-5,575,772	Lennox	11-19-1996		
	5.	US-6,004,269	Crowley et al.	12-21-1999		
	6.	US-6,032,672	Taylor	03-07-2000		
	7.	US-6,237,605	Vaska et al.	05-29-2001		
,	8.	US-6,394,948	Borst et al.	05-28-2002		

OTHER DOCUMENTS NON PATENT LITERATURE					
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T 2		

Examiner Signature	Date Considered	

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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark hee if English language Translation is attached.